

**AGENDA  
FOR THE MEETING OF THE  
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, NOVEMBER 19, 2004  
TIME: 9:00 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

**A. MINUTES**

1. October 22, 2004

**C. FORESTRY AND WILDLIFE**

1. Establishment of the Kapapala Koa Canoe Forest Management Area in Kau, Hawaii, Approval of Corresponding Objectives, and Authorization to Develop a Management Plan to Implement the Objectives.

**D. LAND DIVISION**

1. Issuance of Land Patent in Confirmation of Apana 2 of Land Commission Award No. 5216 to Penopeno situate at Kumimi, Molokai, TMK: (2) 5-8-01:09.
2. Grant of Term, Non-Exclusive Easement to Nahoahana O'Huelani LLC, for Access Purposes, Kaneohe, Oahu, TMK: (1) 4-6-01:08 seaward.
3. Grant of Term, Non-Exclusive Easement to Joseph & Janet Chun for Seawall and Fill Land Purposes, Kaneohe, Koolaupoko. Oahu, TMK: (1) 4-5-47:119 seaward.
4. Grant of Term, Non-Exclusive Easement to Patricia Watanabe for Seawall Purposes, Kaneohe, Koolaupoko, Oahu, TMK: 4-4-18:82 seaward.
5. Sale of Reclaimed Lands to Gordon Imata, Trustee, Kahaluu, Koolaupoko, Oahu, TMK: (1) 4-7-19:22 seaward.
6. Grant of Term, Non-Exclusive Easement to Kathleen Brizuela and Brian Hoff for Seawall Purposes, Kaneohe, Koolaupoko, Oahu, TMK: 4-4-37:35 seaward.

7. Grant of Perpetual, Non-Exclusive Easement to County of Hawaii for Recreational Non-Vehicular Trail Purposes; Quitclaim of State's Interests, if Any, Road Lot to County of Hawaii, Kamuela, South Kohala, Hawaii, TMK: (3) 6-6-03:07, 6-5-04:15 and 6-5-05:22.
8. Amend Prior Board Actions of July 13, 2001, Agenda Item D-7, and January 24, 1986, Item F-2, Direct Sale of Perpetual, Non-Exclusive Easement, to the Hawaii Electric Light Company and Verizon Hawaii at Kaumana to Keaumuku, Hawaii, TMK: (3) 2-5-01:2, 6 & 8; 2-5-02:1 & 14; 2-5-05:80 & 86; 2-6-18:1 & 4; 4-4-15:8 and 4-4-16: 3 & 5.
9. Forfeiture of Revocable Permit No. S-4701, Randolph Castro, Permittee, Kaupo, Maui, TMK: (2) 1-7-02: por. of 15.
10. Forfeiture of Revocable Permit No. S-5193, Henry Baldwin, Permittee, Makawao, Maui, TMK: (2) 2-7-08:16.
11. Sale of Reclaimed Land to Lloyd and Diana Komagome, Kaneohe, Koolaupoko, Oahu, TMK: (1) 4-4-21:33 seaward.
12. Cancellation of General Lease No. S-5351 and Set Aside to County of Hawaii for Trailhead, Parking Area and Related Purposes, Lalamilo, South Kohala, Hawaii, TMK: (3) 6-6-01:10.
13. Set Aside to the County of Hawaii for Addition to a Combined Veterans Center, Veterans Housing and other Related Purposes; Waiakea, South Hilo, Hawaii, TMK: (3) 2-4-57: por. 01.
14. Forfeiture of Revocable Permit No. S-5278, Kula Sanatorium Maintenance Department, Permittee, Kula, Maui, TMK: (2) 2-2-04:76 and 77.
15. Forfeiture of Revocable Permit No. S-5965, Leon Schumaker, Permittee, Ualapue, Molokai, TMK: (2) 5-9-06: por. 34 and 01.
16. Sale of Lease at Public Auction for General Industrial Purposes, Lots 15 & 16, Block 39, Waiakea House Lots, Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-37:63.
17. Sale of Road Reservation to Big Island Country Club Estates Limited Partnership, Puuanahulu, North Kona, Hawaii, TMK: (3) 7-1-05:31 & 32.
18. Rescind Land Board Approval 5/11/01, Item D-5: Sale of Abandoned Ditch Remnant to Laurel Baldrige, Por. Kapaa Homesteads, 1<sup>st</sup> & 3<sup>rd</sup> Series, Kawaihewa, Kauai; TMK: 4-6-08: por.39.

19. Withdrawal from General Lease S-5245 to Lincoln Ching for Pasture and Set Aside to the Housing and Community Development Corporation of Hawaii for Tenant Activities and Maintenance Storage Purposes, Kapaa, Kawaihau, Kauai, TMK: (4) 4-5-15:28.
20. Sale of Remnant State Land to Nicolas Myrianthis, Trustee of the Nicolas Myrianthis Revocable Living Trust, Waiakea, South Hilo, Hawaii, TMK: (3) 2-4-07:58.
21. Sale of Lease at Public Auction for Agriculture Purposes, Hionaa-Kaala Iki, Kau, Hawaii, TMK: (3) 9-5-15:03.
22. Amend Prior Action- Delegation of Authority for the Issuance of Right-of-Entries for Grazing Purposes, Puuwawaa and Puuanahulu, North Kona, Hawaii, TMK: (3) 7-1-01:06 & 04, (3) 7-1-02:01 & 13, (3) 7-1-03: 01 & (3) 7-1-04: 01.
23. Rescind Prior Board Action – Consent to Lease of Lands under Governor’s Executive Order No. 3663 to Orangutan Foundation International, Waiakea, South Hilo, TMK: (3) 2-4-04: por. of 01.
24. After-the-Fact Grant of Perpetual, Non-Exclusive Easements to Maui Electric Light Company, Limited for Utility Purposes, Makawao, Maui, TMK: (2) 2-3-07: por 32.
25. Set Aside to Department of Business, Economic Development and Tourism for Film Studio and Related Purposes, Honolulu, Oahu, TMK: (1) 3-1-42:09.
26. Amendment to Prior Board Action of October 22, 2004, Agenda Item D-8, Continuation of Rent for General Lease No. 4544, Episcopal Church in Hawaii, Maui.
27. Mutual Termination of Non-Exclusive, Term Easement S-5363 to Atlantis Submarines Hawaii, L.P., Offshore Water, Kailua-Kona, North Kona, Hawaii, TMK: (3) 7-5: Offshore Waters.
28. Cancellation of Governor’s Executive Order No. 3141 and Reset Aside to County of Hawaii for Park and Related Purposes, Piopio, South Hilo, Hawaii, TMK: (3) 2-2-01:27 & (3) 2-2-02:35.
29. Amend Prior Board Action of August 13, 1999, (Agenda Item D-18), Direct Sale of Perpetual, Non-Exclusive Easement and Issuance of Immediate Construction Right-of-Entry to William and Aileen Chinen for Waterline Purposes Over and Across Government Land Situate at Waimanalo, Koolaupoko, Oahu, TMK: 4-1-10:por. 96 & 95.

30. Grant of 55-Year Term, Non-Exclusive Easement and Construction Right-of-Entry to Chevrontexaco Products Company for Gas Pipeline Purposes, Kalihi-Kai, Honolulu, Oahu, TMK: (1) 1-2-25:pors. 11 & 69.
31. Cancellation of Revocable Permit Nos. S-7277 and S-7283, and Issuance of Revocable Permit to The Kapaa Banana Co., Inc., por. of Lihue, and Wailua, Kawaihau, Kauai, TMK: (4) 3-9-02: por. 20 and por. 01.
32. Amend Prior Board Action of December 12, 2003, D-4, Consent to Assign General Lease No. S-4957, David H. Lawton, as Commissioner/Assignor, to Louis Kuahuia Jr., Assignee, Milolii-Hoopuloa, South Kona, Hawaii, TMK: (3) 8-9-14:02.
33. Amendment to Prior Board Action of July 9, 2004, Agenda Item No. D-6 Consent to Assignment of Grant of Easement Identified by General Lease No. S-5652, Richard A. Riley and Carol H. Riley, Assignors, to Christopher R. Brigham, Trustee and Cathy V. Brigham, Trustee, Assignees, Kaneohe, Koolaupoko, Oahu, Tax Map Key: 4-4-18: 68 seaward.
34. Withdrawing Land from Governor's Proclamation Dated May 2, 1938 (Koolau Forest Reserve); Set Aside to Department of Transportation, Highways Division for Highway Purposes and Issuance of a Construction Right-of-Entry, Hana, Maui, TMK: (2) 1-1-01: por. 44.
35. Grant of Term, Non-Exclusive Easement to Richard and Barbara Littenberg for Boat Ramp Purposes, Kaneohe, Koolaupoko, Oahu, TMK: 4-4-06:08 seaward.
36. Denial of Petitions for a Contested Case Hearing by the Office of Hawaiian Affairs and Mervin Napeahi; Resolution of Certain Improvements Constructed on State Land at the Hilton Waikoloa Village, Anaehoomalu, South Kohala, Hawaii, Tax Map Key: (3) 6-9-07:14.
37. Amend Prior Board Action of October 13, 2000 (Agenda Item D-4), Department of Agriculture Request for Cancellation of Governor's Executive Order No. 2210 and Set Aside to Department of Agriculture for Agriculture Related Purposes, Halawa, Oahu, TMK: (1) 9-9-10: pors. 34.
38. Consent to Transfer of Ownership; Consent to Mortgage and Extension of Lease Term, General Lease No. S-4016, Mahealani Farms, Inc., Lessee, Hana, Maui, TMK: (2) 1-3-04:06 and 20.
39. Rescind Prior Action – Forfeiture of General Lease No. S-4665, H. Harada Contractor, Inc., Lessee; Consent to Assignment of General Lease No. S-

4665, H. Harada Contractor, Inc., Assignor, to DMS Diesel Repair, LLC, Assignee, Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-37:98.

40. Grant of Term, Non-Exclusive Easement to ATS 1998 Trust for Seawall, Portlock, Honolulu, Oahu, TMK: (1) 3-9-26:05 seaward.
41. Grant of Term, Non-Exclusive Easement to Kaimana Kai Limited for Utility Purposes, Makawao, Maui, TMK: (2) 2-1-06: por. 99.
42. Consent to Assign General Lease No. S-5344, Carl Braun, Assignor, to Richard Abigania, Assignee, Lots A & B, Kapaa Rice & Kula Lots, Kapaa Homesteads, 4<sup>th</sup> Series, TMK: (4) 4-5-15:17 & 30.
43. Sale of Remnant to Kenneth R. Lesperance and Kristine G. Lesperance, Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-25: por. 56 (Remnant G).
44. Sale of Reclaimed Lands to Alvin and Anne Maeda Revocable Trust and Confirmation of Kaneohe Bay Piers Amnesty Program Regarding the Issuance of a Pier Lease, Kaneohe, Koolaupoko, Oahu, TMK: (1) 4-5-58: seaward of 17.
45. Forfeiture of General Lease No. S-5643, Patrick Vahey, Lessee, Waimanalo, Koolaupoko. Oahu, TMK: (1) 4-1-18:51.
46. Grant of Perpetual, Non-Exclusive Easement; Issuance of Construction and Management Right-of-Entry to the City and County of Honolulu for Bus Shelter Purposes, Honolulu, Oahu, TMK: (1) 2-1-25: por.03.

#### **E. STATE PARKS**

1. Request to amend Board Submittal of June 18, 2004 (Item E-4); To Publish and Award Concession lease via sealed bid process to the highest bidder, Wailua Marina Restaurant, Wailua State Park, Kauai.

#### **F. AQUATIC RESOURCES**

1. Request Approval to select an organization/lessee and to negotiate terms and conditions of a lease for a multi-recreational and environmental education facility at the Wailua Reservoir, Kauai.

#### **J. BOATING AND OCEAN RECREATION**

1. Approval to go out to Public Hearings to Amend Mooring Rates and other Fees, Hawaii Administrative Rules Chapters: § 13-234-3 Mooring Rates at State boating facilities; § 13-234-4 Mooring Rates, offshore & at anchor; §

13-234-5 Mooring without permission; § 13-234-25 Fees for commercial vessels; §13-234-34 Recreational ramp fees.

2. Issuance of Revocable Permit for Temporary Office Trailers, Parking, and a Perimeter Security Fence to the Department of Land and Natural Resources, Division of Aquatic Resources, Situate at 74-381 Kealakehe Parkway, Kealakehe, Honokohau, North Kona, Hawaii, TMK: (3) 7-4-08:03 (por.).

#### **K. CONSERVATION AND COASTAL LANDS**

1. Time Extension Request for CDUA HA-3066 Koa Timber, 91-488 Kalaeloa Boulevard, Kapolei, Hawaii 96707, for Koa Timber at Makahanaloa, Onomea, Alakahi, Puu Moi, Aleamai, Paukaa, and Papaikou South Hilo District, Hawaii, TMKs: (3) 2-7-001:001 & 2-8-001:002, c/o Chun, Chun, Kerr, Dodd, Beaman & Wong, Fort Street, 9<sup>th</sup> Floor, 745 Fort Street, Honolulu, Hawaii 96813.
2. Conservation District Use Application (CDUA) OA-3198 Sevath Tanaka Pier Construction and Associated Improvements, 45-002 Lilipuna Road, Kaneohe Bay, Oahu, TMK: (1) 4-5-001:039.
3. Staff Briefing on Enforcement Case OA-04-11 Regarding William and Joyce Chandler Land Restoration Plan, Kaneohe, Oahu, Subject Parcel TMK's: (1) 4-4-017:111 and (1) 4-4-017:112.
4. Staff Briefing on Enforcement Case HA-04-08 Koa Timber Inc. Restoration Plan Status Report, TMK's: (3) 2-7-001:001 & 2-8-001:002, c/o Chun, Chun, Kerr, Dodd, Beaman & Wong, Fort Street, 9<sup>th</sup> Floor, 745 Fort Street, Honolulu, Hawaii 96813.

#### **L. ENGINEERING**

1. Certification of Election of Mauna Kea Soil and Water Conservation District Directors.
2. Certification of Appointment of Mauna Kea Soil and Water Conservation District Director.

#### **M. OTHER**

1. Issuance of Lease by Direct Negotiation, Diamond Head seafood Wholesale, Inc., Pier 38, Honolulu Harbor, Island of Oahu, Tax Map Key No. 1<sup>st</sup>/1-5-42.

2. Issuance of Revocable Permits to the Applicants Awarded Contracts by the Iwilei District Participating Parties for Environmental Investigation and Remediation at Piers 18 to 38, Honolulu Harbor, Oahu.
3. Issuance of a Direct Lease, Douglas Aircraft, Inc., Kona International Airport.
4. Issuance of Direct Lease – Air Molokai, Inc. Honolulu International Airport.

ALL MATERIALS LISTED ON THIS AGENDA ARE AVAILABLE FOR REVIEW IN THE DLNR CHAIRPERSON'S OFFICE. ANY INDIVIDUAL REQUIRING SPECIAL ASSISTANCE OR ACCOMMODATIONS IS ASKED TO CONTACT THE CHAIRPERSON'S OFFICE AT (808) --587-0400 AT LEAST THREE DAYS IN ADVANCE OF THE MEETING.